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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DANIEL STEWART, and
LUKE BURROUGHS,
15 Defendants.
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CASE NO. 2:20-CR-00194-KJM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL
ACT; FINDINGS AND ORDER

DATE: December 9, 2021

TIME: 10:00 a.m.

COURT: Hon. Kimberly J. Mueller

17 **STIPULATION**

18 1. By previous order, this matter was set for status on December 9, 2021, before
19 the Honorable Morrison C. England, Jr. On November 9, 2021, this matter was
20 transferred to the Honorable Kimberly J. Mueller. EFC 35.

21 2. By this stipulation, defendants now move to continue the status conference
22 until January 31, 2022, and to exclude time between December 9, 2021, and January 31,
23 2022, under Local Code T4.

24 3. The parties agree and stipulate, and request that the Court find the
25 following:

26 a) The government has represented that the discovery associated with
27 this case includes over 12,000 pages of discovery. All of this discovery has been
28 either produced directly to counsel and/or made available for inspection and

1 copying.

2 b) Counsel for defendants desire additional time consult with their
3 clients, conduct investigation and research related to the charges, discuss potential
4 resolution, and otherwise prepare for trial.

5 c) Counsel for defendants believe that failure to grant the above-
6 requested continuance would deny them the reasonable time necessary for effective
7 preparation, taking into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by
10 continuing the case as requested outweigh the interest of the public and the
11 defendant in a trial within the original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18
13 U.S.C. § 3161, et seq., within which trial must commence, the time period of
14 December 9, 2021 to January 31, 2022, inclusive, is deemed excludable pursuant to
15 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a
16 continuance granted by the Court at defendant's request on the basis of the Court's
17 finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 17, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ JUSTIN L. LEE
JUSTIN L. LEE
Assistant United States Attorney

Dated: November 17, 2021

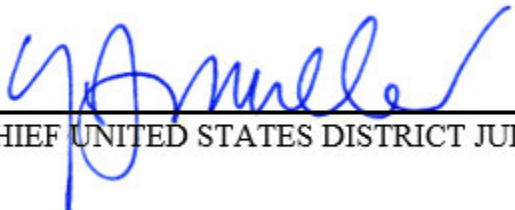
/s/ CANDICE FIELDS
CANDICE FIELDS
Counsel for Defendant Luke Burroughs

Dated: November 17, 2021

/s/ DAVID FISCHER
DAVID FISCHER
Counsel for Defendant Daniel Stewart

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 22nd day of November, 2021.


CHIEF UNITED STATES DISTRICT JUDGE